

Green, LindaE

From: Zack Kopplin <ZackK@whistleblower.org>
Sent: Thursday, March 30, 2017 4:55 PM
To: FOIA HQ
Subject: FOIA Request

Government Accountability Project

3/30/2017

Zack Kopplin, GAP Investigator
832 Valence Street
New Orleans, Louisiana 70115
225-715-5946

Re: FOIA Request

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, I am requesting any and all documents and records, as defined by the Act, that are not currently in the public domain, related to:

Dispersants in the National Contingency Plan: ACCELL CLEAN® DWD, BIODISPERS, COREXIT® EC9500A, COREXIT® EC9500B, COREXIT® EC9527A, DISPERSIT SPC 1000™, FFT-SOLUTION®, FINASOL® OSR 52, JD-109, JD-2000™, MARE CLEAN 200, MARINE D-BLUE CLEAN™, NEOS AB3000, NOKOMIS 3-AA, NOKOMIS 3-F4, SAF-RON GOLD, SEA BRAT #4, SEACARE ECOSPERSE 52, SEACARE E.P.A., SF-GOLD DISPERSANT, ZI-400, ZI-400 OIL SPILL DISPERSANT

From 1/1/2010 until today.

In addition, I would ask that you search for any records generated in connection with topics listed above that raised or were responding to compliance of 5 U.S.C. § 2302(b)(8).

Thank you very much for your assistance.

If any of the material covered by this request has been destroyed or removed, please provide all surrounding documentation including, but not limited to, a description of the action taken regarding the materials and justification for those actions taken. For any documents or portions you deny due to a specific FOIA exemption, please provide a detailed justification of your grounds for claiming such exemption, explaining why the exemption is relevant to the document or portion of the document withheld.

The Government Accountability Project requests that all fees incurred in connection with the attached request be waived, because "disclosure of the information is in the public interest and is not primarily in the commercial interest of the requester." 5 U.S.C. §552 (a)(4)(A)(iii).

In my individual capacity, I also request fees be waived because as an investigator for the Government Accountability Project, I am primarily involved in gathering information about alleged and actual government activity and disseminating it to the public. I have written for a wide variety of national and international news outlets, including *The Atlantic*, *Slate Magazine*, *Politico Magazine*, *Science Magazine*, the *Daily Beast*, and *The Guardian*, and will disseminate what I receive in the news media.

The Government Accountability Project consents to the deletion of any material that would violate an individual's rights under the Privacy Act. We will work with your office to prioritize responsive data for this request, further refine the request if you find any terms too imprecise, conduct searches for unclassified responsive records, or engage in any other reasonable activities that would lessen the agency's burden and costs.

The Requesters' Public Interest Status and History

GAP is a non-profit, non-partisan, public interest organization chartered under IRS Code §501 (C)(3) as a non-profit, educational and charitable organization. We seek to serve the public through achieving governmental accountability by protecting and encouraging federal and corporate employees who observe or are victimized by wrongdoing, gross waste of public funds, threats to public health and safety, environmental contamination, corruption, abuse of the public trust and other abuses of power.

GAP accomplishes these goals primarily by conducting advocacy campaigns before Congress, through the media, and for the general public and by providing legal representation to whistleblowers to combat the retaliation they have suffered in exercising their right of occupational free speech. Our twin aims are to promote corporate and government accountability and to expose, investigate, and correct substantive problems that formed the basis of protected whistleblowing disclosures. GAP's role is well-recognized by the courts and, as an organization, has informational standing under the First Amendment protecting its receipt of disclosed information. *Taylor v. RTC*, 56 F.3d 1437 (D.C. 1995); *United States v. Garde*, 573 F. Supp. 604 (D.D.C. 1987); ~ *Generally Virginia Pharmacy Bd. v. Virginia Consumer Council*, 425 U.S. 748, 756-57 (1976).

GAP has a 20-year history of working in the public interest. GAP does not take individual cases based on the client's ability to pay, how much money GAP believes it can recover in legal fees through litigation or any other commercial interest. Rather, GAP takes cases of legitimately harassed whistleblowers, often pro-bono (without charge), that further public policy or legislative changes that make the law stronger for workers who witness and choose to tell the truth about corporate and taxpayer-financed wrongdoing and to pursue exposure and resolution of the wrongdoing. It is through this work and with the help of whistleblowers that GAP has, among other things, pushed for enactment of several whistleblower protection statutes, exposed unhealthy food at supermarket chains, pushed for independent reviews of the safety of the Alaska pipeline, exposed the threat of explosion in waste tanks at the Hanford nuclear site, and pushed for policy reform within numerous executive agencies. All this activity is done primarily with the interest of the public in mind.

Dissemination of the Requested Information

In our efforts to promote government accountability, GAP works closely with Members of Congress, the media, and the public to alert them to irregularities. The information requested will be used in connection with a campaign aimed at key decision-makers at the federal level, the general public, and self-selected subscribers. More specifically, GAP will publicize the responsive records so that all federal employees who seek assistance at OSC can be fully-informed about the office's methods for investigating their complaints.

The combined circulation and viewer-base of our national, regional, and self-subscribed outlets ensure that the information will, indeed, be widely distributed to diverse segments of the public who will benefit from knowing the manner in which OSC investigates complaints, and the efforts that OSC has taken to ensure the highest quality training and instruction for its staff. As a consequence, public understanding and trust of government operations will certainly be enhanced.

Non-commercial use of the Requested Information

Disclosure of this information by GAP is in no way connected with any commercial interest since GAP is a non-profit, tax-exempt organization under § 501 (c)(3) of the IRS Code. The information we are seeking is crucial to advance public knowledge and will not be put to any commercial use.

Please be reminded that under the Freedom of Information Act, we are entitled to a response to this request within twenty working days. Should this request be denied for any reason, we ask that a detailed explanation be provided along with the name of the person to whom administrative appeals should be addressed.

Thank you in advance for your assistance and cooperation,

Zack Kopplin, Investigator and Outreach Associate
Government Accountability Project
225-715-5946